

Elkhart Police Department

OCA: 20021129008

THE INFORMATION BELOW IS CONFIDENTIAL - FOR USE BY AUTHORIZED PERSONNEL ONLY

Case Status: CLEARED BY ARREST

Case Mng Status: CLEARED BY ARREST

Occurred: 11/28/2002

Offense: HOMICIDE

Investigator: CONVERSE, P. (120)

Date / Time: 09/10/2003 00:00:00, Wednesday

Supervisor: PRICE, S. R. (308)

Supervisor Review Date / Time: 02/26/2014 00:00:00, Wednesday

Contact: Lambert, Charles William
, Elkhart
574-295-

Reference: Witness Statement

INTERVIEW OF: CHARLIE LAMBERT

Building 2, Apartment B

Elkhart, Indiana

TX: (refused to give)

DOB:

SSN:

DATE: September 10, 2003

LOCATION: Elkhart Police Department

PERSONS PRESENT: Det. Lt. Paul Converse #120
Elkhart Police Department

Rudolph Gourdine
Oaklawn Caseworker

NOTE: This interview was taped on a bad tape, therefore there are places that are inaudible because of this.

120: Okay Charlie, earlier today we had a conversation and I advised you of your rights under Miranda and you waived your rights. And then we had a conversation and then we had a couple cups of coffee, bought you lunch, and you went out and talked to this fella who is with us now. And your name is sir?

RG: Rudolph Gourdine.

120: And how do you spell your last name?

RG: G O U R D I N E.

120: And your address, sir?

RG: Uh my office address or my home address?



Investigator Signature:

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120: Both please.

RG: Um I work for Oaklawn Community (inaudible), 2600 Oakland Avenue . . uh and I live at 1415 Kilbourn in Elkhart.

120: And your work number please?

RG: Um . . 533-1234.

120: And the reason you're here with Charlie is for what reason?

RG: Uh . . I'm his case manager and he has some . . a lot of anxiety about this and he asked if I would come along.

120: Okay. So Charlie, it's my understanding and you know that we're investigating this . . the Helen Sailor homicide and it is my understanding that on the Thanksgiving Day of 2001, I believe, you had an opportunity to pick up a woman by the first name of Lana. Is that correct?

CL: Yup.

120: Would you explain that to me please? The sequence of those events.

CL: I was comin' down the road leadin' to the parkin' lot. Saw her outside walking from in to . . into the building lookin' around the corner like, okay nobody's there. Um . . as I walked up, she asked if I could give her a ride somewhere. Said . . ya give me a few minutes and um . . (inaudible because of tape) take ya. I was obviously there to see somebody but who it is for certain I cannot recall. (inaudible because of tape) and . . I'm not sure of the time that I left (inaudible because of tape) It was probably . . I was there probably no more than a half hour I would say. I would like to think and um . . went to my car, put her bags in there, we took off to where I took her over on Osolo Road.

120: You know the address on Osolo Road?

CL: Nope I didn't notice any number.

120: Can you describe where it was that you went on Osolo Road?

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CL: Um . . (inaudible because of tape) right there at the stoplight, I'm in the left lane to make a left turn . .

120: At what intersection?

CL: Bristol and Osolo. And it was just . . and the house seemed like it was almost right behind that strip mall there. Um . . like I said, I didn't see any you know number on the house but there wa . . I was parked right behind a pickup and some reason all I can recall is sort of a . . it looked almost like a mint green or you know some shade of green and it was not a dark color.

120: (inaudible because of tape) Did you first notice Lana when you arrived at the High Rise at the Waterfall or when you were leaving the High Rise at Waterfall?

CL: No that . . that's when I fir . . when I first was comin' down the road.

120: Okay. That's when you noticed her?

CL: Ya . . it . . it's . . for some reason it's sort of like sstuck out like a sore thumb and . . I thought it sort of strange she . . saw her walk down towards the east end of the building, look around the corner, down the other end, look around the corner, okay, nobody's here.

120: Do you know Lana?

CL: (inaudible) I know of her name and some of what she . . you know . . the kind of person she is.

120: What kind of person is she?

CL: Um . . a very much keep to herself, I can't deal with the pain, or you know what's happenin' that day so I'll you know drink or maybe smoke a joint. I don't know. And . . that's how drug . . drug addicts, alcoholics . . I feel think. You know, I've had a crappy day, I'm gonna go have a drink or a joint.

120: So would you describe her behavior, when you seen her, unusual? I mean you seen her when you were driving down . .

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CL: My first thought was . . sort of odd.

120: Why was that?

CL: Cause just the way she was doin' it. You know . . wasn't walkin' real fast, wasn't walkin' real slow but a steady pace. Look around . . looked at the other way, back down to the other end of the buildin' doing the same thing. I mean that just stood out like a sore thumb.

120: Well did you have any conversation with her before you went into the High Rise?

CL: Other than saying hi you know how ya doin' . . um . . (inaudible because of tape) no. That's . . (inaudible because of tape) say that that's for sure. You know maybe not those exact words but you know something along that line that you know . . cause it was . . seemed like it was a habit with me if I hadn't seen somebody for two or three days wha . . Hey, what's been goin' on? How ya doin'?

120: (inaudible because of tape) Was she carrying anything when you seen her?

CL: Uh . . no. If I remember right, her bags were sittin' you know outside the door there.

120: Okay. What kind of bags did she have?

CL: It was uh . . one was a Marlboro duffel bag and I . . I don't know if this one had wheels or not but I . . I specifically recall it being red and black.

120: About what time was it when you arrived at the building?

CL: (inaudible because of tape) oh . . I have to say between 7:00 . . maybe 7:05 at the latest.

120: Okay. How are you sure of the time? What makes you say 7:00 to 7:05?

CL: Cause I left somewhere around 6:30 or shortly after coming home from Michigan.

120: Okay. And how long were you in the building?

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CL: (inaudible because of tape) 45 minutes to a half hour.

120: Okay. What did you do while you were there?

CL: (inaudible because of tape) my usual. I . . I would try to remember to sign in. You know say hi to people. You know what's been goin' on and see if anybody I knew was in the TV room.

120: You signed in when you went in?

CL: (silence and inaudible because of tape) I'm almost sure I did. I . . I . . I could be wrong. (inaudible because of tape) almost sure.

120: Okay. So who did you talk to first? Or where did you go first? Whatever.

CL: Um . . (inaudible because of tape) most likely I . . you know looked around see who was there in the lobby and you know talked with them s . . see how things were going. Um . . (inaudible because of tape) was either into the TV room or I went upstairs somewhere and I . . I don't . . (inaudible because of tape) remember . . remember exactly what floor other than what I told ya the first time I saw ya. I gave you names of those I thought that I had talked to.

120: And who were those?

CL: One was Randy.

120: Randy who?

CL: Swoverland. The other one would have been Sherry Miller. Uh . . (very quietly) see who else was there . . (long silence) . . (inaudible because of tape) not sh . . I'm not sure exactly who all was still down there at the time and um . . so . . (sighs).

120: So then you left the building and then what happened?

CL: Um . . like I mentioned we got . . we got uh . . (inaudible because of tape) go to the car, open the door so she could put her bags in . . Lana.

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120: Did you make arrangements then to take her some place or did you make arrangements when you arrived to take her some place?

CL: She . . . sort of like . . I guess you say confronted me that you know ask me if I could.

120: When you were leaving you mean or when you came?

CL: I think it was before. You know before . . you know . . before I went in the building.

120: Okay. So how long was she in the truck with you approximately?

CL: Car . . um . . (inaudible because of tape) . . uh let's see . . I'd say in between ten fifteen minutes, depending on what the traffic was that day.

120: Or maybe a car. What do you drive?

CL: Car.

120: Okay. So it was in your car. Is that right?

CL: Ya.

120: What conversation did she have with you when she was with you in the car?

CL: (inaudible because of tape) . . other than what I been up to, how ya been, I . do . not . recall. (He paused briefly between each word.) I'm not trying to forget. I just cannot recall.

120: Do you think there was conversation that you just don't recall it or do you know there wasn't conversation . .

CL: I would like to think there was a conversation cause it wasn't like her to be quiet. (inaudible because of tape) . . less something was really you know pushing on her mind. Then a lot of times she'd just be you know quiet . . wouldn't say a word.

120: You know Sherry Miller. Is that right?

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CL: (sighs) . . Ya.

120: She's told us (inaudible because of tape) you told her (inaudible because of tape) a woman in AA had knowledge . . that you told her that a woman in AA had knowledge about this homicide and that you knew who it was and she said to you . . Miller said to you . . you need to report this and you said back to her that you didn't get involved. Would you tell me about that conversation?

CL: (inaudible because of tape) . . I said I had a conversation with somebody else in the program that had knowledge of it.

120: Yes.

CL: (inaudible because of tape) . . can't tell you anything.

120: Did that conversation occur?

CL: (inaudible because of tape) . . don't have any certainty on that.

120: Is Sherry Miller telling us the truth about that or not?

CL: (inaudible because of tape) like . . I would like to think that she . . what she . . you know what she feels is the truth and um . . (inaudible because of tape) don't know what else to say. There . .

120: Well . .

CL: I . . I've real . . I've real . .

120: Is there a woman in the AA that you know that may be involved in this murder?

CL: (inaudible because of tape) can't think of anybody in the program that would've.

120: Okay. Has Lana ever been to AA with you or in the AA?

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CL: Nope.

120: You've never seen her at a meeting?

CL: Never.

120: Okay. (inaudible because of tape) what I'm asking you and what you've responded to, I believe, is that there's no person, no woman, in the AA or otherwise that you know of that may have knowledge or been involved in this murder. Is that correct?

CL: Yes.

120: (inaudible because of tape) had a conversation with Flo shortly after you took Lana to this place out on Osolo Road. It's my understanding at least . . .

CL: Ya.

120: . . . that you told Flo not to say anything to anyone about you being or taking Lana away from the building that day. Is that true?

CL: Oh I'm sure I did.

120: Okay. Tell me about that conversation if you don't mind.

CL: Well there was more than just one person there. If I'm correct the other person was Kathy Young. Which floor she's on, I have no idea. She's an older lady. (inaudible because of tape) said ya. I'm been gettin' . . . I'm beginning to have you know . . . I guess second thoughts about you know either being . . . you know quiet about it . . . um you know . . . wanting . . . not to get involved any farther than I am. (inaudible because of tape)

120: What made you nervous about taking . . . giving Lana a lift? Why would that make you apprehensive?

CL: (silence) . . . (inaudible because of tape) guess maybe due to the fact knowing that she's . . . she's a user . . . referring to drugs and alcohol.

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120: When you made this comment to Flo, did you know that Helen Sailor had been killed? (inaudible because of tape) When you were talking to Flo about saying, don't tell anybody I was with Lana. Okay. Then you said ya I did say that but probably other people were present. You told me that a minute ago.

CL: Right.

120: Okay. My question is then, did you know about Helen's death when you made that statement?

CL: I made this statement after she had already been killed.

120: After what?

CL: After Helen had been found dead. I made that comment after.

120: Okay. So is the reason that you've made the statement about . . .

CL: Cause I was scared of what may or may not arise, I guess.

120: Okay. What made you think that Lana might have been involved?

CL: (inaudible because of tape) she was capable enough of breaking into ss . . two apartments and shanghaiing three checkbooks.

120: Okay. Tell me about that a little bit, please.

CL: She even wrote one for . . the check was written from my understanding and what we've been told over there that the check was for \$80.00 in the little square box and then when she went to write it out on the line, she wrote 88; yet Martin's still cashed the check.

120: So you believe that Lana may have had something to do with this murder. Is that correct?

CL: Ya cause . . like that person in her sssstate of mind and thinkin' . . (inaudible because of tape) was probably more capable than anybody that's been in I would say you know two years to twenty years in the program.

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120: (inaudible because of the tape) talked to a number of people at the High Rise this week . . talked to you here a couple of weeks ago or maybe even longer than that, Charlie. We haven't found anybody yet that remembers seeing you there inside the building that day. (inaudible because of tape) not saying there's not somebody there that did. All I'm saying to you is that we haven't talked to anybody yet that says that you were there in the building. (TAPE STOPPED.) Charlie, I would like for you to explain just what happened here to the tape recorder. The tape stopped suddenly and if you would explain what just happened.

CL: The batteries went dead.

120: Okay and I've changed the batteries in the tape. We're back in business again I believe.

CL: Yes.

120: And the question I had asked you before the tape went dead was that we had talked to a number of people in the building there and none of the persons that we talked to remember seeing you that day. And the day we're talking about is Thanksgiving Day, the same day as the homicide. So I'm curious if you can explain why that might be or who else we should contact to try to determine the fact that you were there.

CL: Okay. One would be Dave Stencil. Um . . one would have been Lela Overstreet and . . (very quietly) who else (inaudible) . . that's what I'm . . (silence) . . oh . . possibly Emma Cox. (inaudible because of tape) down there . . um . . could have been Kathy there too. Kathy Young and whatever floor she's on, I'm not sure.

120: (inaudible because of tape) What did you do before you arrived at the High Rise that day?

CL: I spent Thanksgiving pretty much the whole afternoon with my family.

120: Okay. Who was there?

CL: See . . (inaudible because of tape) uh . . my aunt and uncle . . uh . . Mr. and Mrs. Hershel Snider, my cousin Lynn, her husband Mike, and I believe the two daughters were there. My cousin Doug and his wife from South Bend. My cousin Susie and her daughter were there I believe. My other cousin Lori, her husband, and . . (inaudible because of tape) three of the kids that I can account for.

120: Okay. And how long were you together that day?

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CL: Uh . . I'd say four and a half, five and a half hours.

120: What time did they arrive? Were you at their house or were they at your place?

CL: I was at theirs.

120: Okay. And what time did you arrive there that day, approximately?

CL: (inaudible because of tape) somewhere between I'd say 12:30, 1:30. Somewhere in there maybe.

120: Okay. And before you went there, where were you at?

CL: I could have been at church. Ss . . cause it . . since it was on Thursday and our midweek service is usually Wednesday, they just move it over.

120: So you remember being at church or you don't remember being at church?

CL: If I was anywhere, I was there . and um . I was also at Serenity Hall that day.

120: Before you went to Thanksgiving dinner?

CL: Ya I . . I ate there a little bit. I was cuttin' up one of the turkeys and um . . (inaudible because of tape) and . . I'm almost certain I stopped out at (inaudible) that day for . . you know . . cause I was tryin' to help them get ready.

120: Stopped out where?

CL: Dollie's house . . in Osceola.

120: Okay.

CL: And um . .

120: About what time would that have been approximately?

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CL: Okay that . . that would've been . . (inaudible because of tape) little confusion here. It would've been after 1:30, 2:00 that I was at my aunt and uncle . . that . . I was out there and they were suppose to eat before we were at my aunt and uncle's and I . . I'd took off cause I'd . . I had told them I'd be there in Michigan.

120: Where in Michigan?

CL: Adamsville.

120: Okay. So what time did you get up that day?

CL: (silence) Uh . . (sighs) . . (inaudible because of tape) get up anywhere between 5:00 and 6:30 in the morning.

120: After you got up, what did you do?

CL: (inaudible because of tape) I'm not sure I had . . I . . I used . . I fixed one of my coffee pots up and uh . . had one or two there. Most likely took a shower cause sometimes I don't like to take 'em till the next morning just before I go.

120: (inaudible because of tape) Where did you go next? (inaudible because of tape) when you left your house, where's the first place that you went?

CL: If I went anywhere, I probably would've stopped at 7-Eleven, got a cou . . maybe another coffee to take with me cause if I fix my small pot, it's only good for two.

120: Okay. So the first place you went was in Osceola that day. Is that right?

CL: That . . it would've been . . it would've been in church in Osceola.

120: Okay. Church in Osceola. Okay. So after you dropped Lana off that day, okay, what did . .

CL: What day are you referring to?

120: Thanksgiving Day.

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CL: Okay.

120: It was Thanksgiving when you picked Lana up . .

CL: At night.

120: That was in the evening, right? So after you dropped her off out there on Osolo Road, okay, what did you do next?

CL: (inaudible because of tape) remember correct, I went straight home.

120: Okay.

CL: I'm . . I may have stopped (inaudible) got something to drink but . . my ultimate destination was to get home, change clothes, get comfortable, and just try to relax.

120: Okay. Did you watch television or listen to radio or read or what did you do?

CL: I probably had my radio on.

120: Do you remember having your radio on?

CL: Well that or my CD player.

120: Okay.

CL: And no I don't remember . . for sure. But I had one or the other on.

120: Okay. What else did you do when you were home that day?

CL: Um . . (inaudible because of tape) sure I did . . I did something but . . it could have been any number of things.

120: But you were home. Is that correct?

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USDC IN/ND case 3:14-cv-00315-RL document 36-27 filed 07/14/15

Printed: 02/26/2014 16:48

Elkhart Police Department

OCA: 20021129008

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Case Status: *CLEARED BY ARREST*

Case Mng Status: *CLEARED BY ARREST*

Occurred: 11/28/2002

Offense: *HOMICIDE*

Investigator: *CONVERSE, P. (120)*

Date / Time: 09/10/2003 00:00:00, Wednesday

Supervisor: *PRICE, S. R. (308)*

Supervisor Review Date / Time: 02/26/2014 00:00:00, Wednesday

Contact: *Lambert, Charles William
Elkhart
574-295.*

Reference: *Witness Statement*

CL: I'm sure I was.

120: Okay. (inaudible because of tape) . . What?

CL: Okay. It just started in again. It's been stoppin.

120: Okay. Have you ever been in Helen Sailor's apartment?

CL: (inaudible because of tape) recall ever being in her apartment.

120: (inaudible because of tape) what floor she lives on?

CL: Well I did find out this afternoon.

120: Okay. What floor is that?

CL: She was on . . she was in a . . (inaudible because of tape) tenth . .

120: Okay. And have you ever been on the tenth floor? Ever?

CL: Oh ya.

120: Okay. Who do you know up there?

CL: (inaudible because of tape) Mary Jane. I do not remember her last name right off . . hand and I was there to help her oh the year before or . . y . . no . . anywhere from six months to a year and a half before I was there to help her with her apartment.

120: That the only time you were up there on the tenth floor?

CL: I was probably up there you know couple days in a row helping Mary Jane . . with her apartment . . cause you almost had to walk sideways to get thru there.

120: When was that?

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574-295.

CL: Would have been somewhere . . two . . between two and three years before that.

120: Before what?

CL: Bef . . um . . before las . . you know before . . it'd been between . . that was in 2001. Somewhere in there.

120: Okay. Have you ever talked to Helen Sailor?

CL: Ya. I use to stop by and visit the people in the lunch room anywhere from a quarter after eleven till 11:30 and you know say hi. One guy I use to swap fishin' stories with . . and they were stories for sure. Um . . you know just to see who all was there and to say hi. See how everybody was doing . . and um . . I always made sure if I didn't say hi to Helen when I first came in, she was the last person on the way out, never to avoid her.

120: Did Lana ever speak to you about Helen? Ever? Anytime?

CL: (inaudible because of tape) but she did . . but . . there I cannot . . like I said . . I've said in past answers . . I cannot recall any specific time.

120: Okay.

CL: She had a habit of talking about . . you know if somebody was doing something, it's because it wasn't being done the way she . . you know . . you know the way she felt whatever was happenin' at the time, should have been done I guess.

120: Okay. I'm not necessarily asking you when Lana talked to you about Helen. I more interested in right now as to what Lana said about Helen to you. Whenever.

CL: If anything, it probably was not . . wasn't too much on the positive side sometimes . . cause she . . she would . . there's a lot of times when she talked about somebody, she was cuttin' 'em down.

120: Like what? I mean there are all kinds of ways to be negative about somebody. Put me in mind of what you mean. What you said could mean a whole lot of things. What are you talking about?

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574-295-

CL: Okay. Um . . (inaudible because of tape) person could be handling life . . you know being . . declared legally blind real good. I've seen some people do that. I got a friend whose totally blind. Fifteen years old. Gets through that house better than people sometimes can see. So it's like maybe her attitude would've been . . you know why isn't she you know somewhere where somebody could be watchin' her all the time. Well, she had somebody that was in there probably I'm saying between four to six days a week. You know okay, how's things going? Um . . time to go to the grocery store or she'd go and get her hair done maybe once every other week or so. And she seemed rather happy, contented with l . . life. Maybe she didn't like the cards that she been dealt with . . the cards that she's been . . you know dealt with and um . . I sometimes . . I'm sure I said that you know sometimes I wish I could be as positive . . you know outlook on life as she is.

120: When your saying she, you're talking about?

CL: She . . she was very . . she seemed very positive.

120: Are you talking about Helen?

CL: Ya.

120: Okay. You're not talking about Lana?

CL: Far from it.

120: Okay. Well the question was . .

CL: Right.

120: . . give me an example when you say that Lana talked about Helen negatively. That could mean a lot of things. What kind of things are you talking about or what was it that she said that was negative about Helen?

CL: (sighs) . . (inaudible because of tape) . . well she could um . . maybe Helen's comin' in the door with a grocery cart and it's like . . why can't she just hurry up and get her ass out of the way you know . . cause Lana was in too big of a hurry to get in and get upstairs for whatever reason . . or something like that. I me . . Helen moved along pretty good for being legally blind. She had a walker and um . . everybody was reasonably helpful you know as she was . . you know heading towards a . . the corner of a wall or something. It's like, watch it, Helen. You need to go to your left or

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Elkhart

574-295-

to your right you know.

120: (inaudible because of the tape) I've got to ask you a couple of questions because I have to ask you, okay. Were you present when Helen was killed?

CL: (inaudible because of tape)

120: Okay. Did you have anything to do with Helen's death?

CL: No.

120: Okay. Do you have any reason to think whatsoever that Lana may have had something to do or affiliated with Helen's death

CL: Yes.

120: Tell me what you mean by that.

CL: Um . . (silence) . . (inaudible because of tape) . . from . . not only from . . like I said . . from only her use . . you know both the drugs and the alcohol. She just didn't seem to have um . . I guess a positive aura about her really. She'd . . there's a lot of times somebody from her family could buzz her apartment. She would not answer the door.

120: (inaudible because of tape) Lana ever say anything to you that would make you think that she had something to do with Helen's death?

CL: (inaudible because of tape) nothing but she . . just by describing her actions when I drove up and then findin' out you know a couple days later that . . good heavens. Helen's gone. It's like tryin' to put two and two together to equal 22 in a way. (inaudible because of tape) would still like to think she's at the . . 50/50 point that she could've very well of had something to do or knew something about it.

120: Is it possible that Lana said things to you while you were in the car with her that day taking her to Osolo Road about the death of Helen? Is that possible?

CL: (inaudible because of tape) would say yes.

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574-295-

120: Okay. Do you have any kind of memory whatsoever that would indicate that to you?

CL: Indicate the conversation?

120: Yes.

CL: Right now, no. Nothing.

120: Is there anything else you would like to add to your statement, Charlie?

CL: (inaudible because of tape) other than I just hope this hurry's up and winds down . . cause not . . not only does Helen deserve the contentment and the . . you know . . the peace . . her family deserves a chance to make closure on this cause it's sort of strange you know, one day your eatin' dinner havin' a great time and making plans for your 95th birthday, which is just around the corner. I believe it was February. (inaudible because of tape) all of a sudden the next day . . (inaudible because of tape) making plans for her funeral. That's . . that's basically what was said in the newspaper and it . . ya I . . I would just like to see her family be able to you know get the closure as quick as it can possibly happen.

120: Okay. Well thank you. This statement then is completed at 4:10 or 4:09 p.m. September 10, 2003.

Investigator Signature:*Supplements [Edit]*

Case No. 2002-129-008

ELKHART POLICE DEPARTMENT
LEGAL RIGHTS ADVICE FORM

DATE 9/01/03

TIME 10:04 AM

(Time Warning Started)

Before we ask you any questions, you must understand your rights.

You have the right to remain silent.

Anything you say can and will be used against you in court.

You have a right to consult with a lawyer before we ask you any questions, and to have him with you during questioning.

If you cannot afford a lawyer, one will be appointed for you before any questioning if you wish.

If you decide to answer questions now without a lawyer present, you will still have the right to stop answering at any time.

Waiver:

I have read this statement of my rights and I understand what my rights are. I am willing to make a statement and answer questions. I do not want a lawyer at this time. I understand and know what I am doing. No promises or threats have been made to me and no pressure or coercion of any kind has been used against me.

WITNESS Carl W. Lamm

Charlie Lambert

(Signature of person being advised of his/her rights)

WITNESS 2/10/03

DATE 9/01/03

TIME 10:05 AM

TIME 10:05 AM
(Time signed by person advised of his/her rights)

PLACE E.P.D. Hangar One Unit #2
(Exact Location)

PLACE E.P.D. Annex Unit #2
(Exact Location)